

7-20-04

IFW

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
 (Under 37 CFR 1.97(b) or 1.97(c))

 Docket No.
 15436.204.3

In Re Application Of: Gordy, et al.

JUL 19 2004

 O I P E JG
 PATENT & TRADEMARK OFFICE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/776,579	February 11, 2004	Unassigned	022913	2661	3034

Title: NETWORK TAP WITH INTEGRATED CIRCUITRY

Address to:
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15436.204.3

In Re Application: Gordy, et al.

JUL 19 2004

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/776,579	February 11, 2004	Unassigned	022913	2661	3034

NETWORK TAP WITH INTEGRATED CIRCUITRY

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
 - Charge the amount of _____
 - Credit any overpayment.
 - Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)

(Date) _____

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

R. Burns Israelsen
Signature

Dated: July 16, 2004

R. Burns Israelsen
Attorney for Applicant
Reg. No. 42,685
Customer No. 022913

CC:



PATENT APPLICATION
Docket: 15436.204.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Gordy, et al.)
Serial No.: 10/776,579) Art Unit
Confirmation No. 3034) 2661
Filed: February 11, 2004)
For: NETWORK TAP WITH INTEGRATED)
CIRCUITRY)
Examiner: Unassigned)

EXPRESS MAILING LABEL EV 423742231 US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

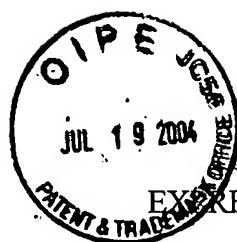
I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Box: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated this 19 day of July, 2004.

- Transmittal for Information Disclosure Statement (2 pgs.)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (2 pgs.)
- Postcard

Respectfully submitted,


Kimberly Kendrick
Paralegal to R. Burns Israelsen



EXPRESS MAIL NO. EV 423742231 US

PATENT APPLICATION
Docket No: 15436.204.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Gordy, et al.

Serial No.: 10/776,579) Art Unit
Confirmation No. 3034) 2661
Filed: February 11, 2004)
For: NETWORK TAP WITH INTEGRATED)
CIRCUITRY)
Examiner: Unassigned)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, patent applications, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed references are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

The accompanying Form PTO-1449 notifies the Examiner of the specified related pending U.S. patent applications listed therein. This notice is not an admission that the claims of the present application and the claims of the specified related pending patent applications are substantially similar or that the specified related applications represent prior art with respect to the present application.

DATED this 16 day of July, 2004.

Respectfully submitted,



R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685
Customer No. 022913

RBI: kk
W:\15436\204.3\KKK000003683\V001.doc



EXPRESS MAIL LABEL NO.: EV 423742231 US

Form PTO-1449

Sheet 1 of 2

Applicant: Gordy, et al.

Serial No.: 10/776,579

Att'y Docket No.: 154326.204.3

Filing Date: February 11, 2004

Confirmation No.: 3034

Art Unit: 2127

For: NETWORK TAP WITH INTEGRATED CIRCUITRY

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

Related U.S. Patent Applications

<u>Inventor(s)</u>	<u>Application Number</u>	<u>Filing Date</u>
Gordy, et al.	10/735,417	December 12, 2003
Gordy, et al.	10/735,801	December 13, 2003
Gordy, et al.	10/409,006	April 7, 2003
Gordy, et al.	10/742,172	December 19, 2003

U.S. Patent Documents

<u>Examiner</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Filing Date</u>
Initial*	5,940,376	08/17/99	Yanacek, et al.	01/29/97

Foreign Patent Documents

<u>Examiner</u>	<u>Document Number</u>	<u>Publ. Date</u>	<u>Country or Patent Office</u>	<u>Sub Class</u>	<u>Trans. Class</u>
Initial*					

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner

Initial*

NONE

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV 423742231 US

Form PTO-1449

Sheet 2 of 2

Applicant: Gordy, et al.

Serial No.: 10/776,579

Att'y Docket No.: 154326.204.3

Filing Date: February 11, 2004

Confirmation No.: 3034

Art Unit: 2127

For: NETWORK TAP WITH INTEGRATED CIRCUITRY

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

W:\15436\204.3\KKK000003682V001.doc

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.